

ELM PARISH COUNCIL

MINUTES OF MEETING

21 FEBRUARY 2012 – 6.30 pm.

Present: Councillor Brand, Chairman; Councillors Mrs Cotterell, Mrs Johnson, Mrs Lankfer, Pinnock, Rogers, Softley (until 7.10 pm), Stokes and Tilney (from 6.40 pm).

In attendance: District Councillor Sutton.

Apologies: Councillors Cotterell, Mrs Hopkin and Webb plus County Councillor Mrs Tuck.

The minutes of the meeting of 19 January 2012 were confirmed and signed.

118/11 The Standards Board for England – Members' Code of Conduct

Members were reminded of the need to ensure that their Register of Declarable Interests is kept up-to-date.

Councillor Mrs Cotterell made an amendment to make to her register entry.

119/11 Progress on actions from minutes of last meeting

(1) Incidents of theft at Elm Cemetery (minute 104/11 (1))

The Clerk reported that

- three quotations had been sought from local fencing contractors for the provision of appropriate fencing along the rear boundary of the cemetery and that two quotations had been received;
- in accordance with the authority delegated to the Clerk, to be exercised in consultation with the Chairman, the lower of the two quotations had been accepted;
- following a meeting on-site with the Clerk and the Chairman, the contractor has undertaken the agreed fencing works;
- whilst on-site with the contractor, the Chairman and the Clerk discussed other potential works to enhance the appearance of the cemetery and, as a result, considered that the planting of additional hedging along the site boundaries could be undertaken in that regard. Consequently, the Clerk had sought a quotation from the Parish Council's grounds maintenance contractor for the provision and planting of such hedging; the Clerk expects to be able to report a quotation to the next meeting of the Parish Council.

According to information provided by the Police (minute 120/11 refers), the incidents of theft from graves at the cemetery appear to have ceased.

Members decided that the information reported by the Clerk be noted and that the possibility of obtaining Section 106 Planning Obligations monies to meet the cost of planting additional hedging at Elm Cemetery be investigated.

(2) Facilities for young people in the parish (minute M111/11)

The Clerk reported on a site meeting which had taken place on 16 February 2012, involving Councillors Brand, Rogers and Stokes and himself with Bob Ollier, the Parks and Open Spaces Manager at Fenland District Council, to discuss a joint approach between Elm Parish Council and Fenland District Council to the provision of an equipped play area at Grove Gardens in Elm.

The outcome of the meeting was that

- Mr Ollier would pursue with the developer (Kier Anglia) the outstanding adoption issues, giving the company two options in that regard; those options being: (1) the company to undertake the outstanding works; (2) a financial sum for the cost of the works being paid to Fenland District Council (FDC), so that FDC could undertake the works on behalf of the developer.
- Once adoption of the land by Fenland District Council has taken place, FDC would be planning to re-locate the existing small play area to a more central point within the grassed area.
- Fenland District Council and Elm Parish Council would work together to provide a range of play equipment on the re-located play area. Elm Parish Council would fund the provision of the play equipment (obtaining grant aid if possible) and Fenland District Council would design a suitable scheme and undertake the tendering exercise in relation to procurement of the equipment. The two councils would participate in consultation with potential users of the play area and the residents of Grove Gardens.

Members decided that the information reported by the Clerk be noted and that Fenland District Council be requested to update the Parish Council regularly on progress regarding this matter.

(3) Queen's Diamond Jubilee - grant aid (minute 116/11 (2))

The Clerk reported the receipt of a letter from Fenland District Council informing the Parish Council that the grant of £1,000 would be paid into its bank account on or before 2 March 2012.

Members decided that the information reported by the Clerk be noted

120/11 Police matters

PCSO Martin Bogunovic, of the Wisbech and District Neighbourhood Policing Team, reported on recent incidents of crime and disorder within the geographical area covered by Elm Parish Council, including:

- Coldham – two incidents of theft of vegetables; one theft of fuel from a vehicle
- Fridaybridge – two incidents of criminal damage to a vehicle; one theft from a vehicle
- Elm – one theft of a vehicle; one public order offence; one incident of ABH; an attempted shed burglary
- Rings End – one possible incident of arson.

For the third month in a row there have been no reports to the Police relating to thefts of flowers and other items from graves at Elm Cemetery.

The PCSO informed members of the actions that would be undertaken jointly by the Neighbourhood Policing Team and Fenland District Council to address the community priority agreed at the recent Wisbech and District Neighbourhood Forum meeting in relation to tackling speeding in Elm. This will include speed checks, Speed Watch events and a campaign involving pupils at the Elm and Fridaybridge Community Primary Schools.

PCSO Bogunovic responded to members' questions.

Members decided that the information reported by PCSO Bogunovic be noted.

121/11 Reports from District and County Councillors for the parish

Given the absence from the meeting of the County Councillor (Mrs Tuck) who represents the parish of Elm, no report was received by the Parish Council in relation to current County Council issues.

Councillor Sutton, one of the two District Councillors who represent the parish of Elm, informed the Parish Council that he is currently unaware of any specific District Council matters affecting the parish. He did, however, inform members of two issues affecting the whole district, i.e. that the District Council is not proposing to increase its element of the Council Tax for 2012/13 and that there has been a delay (possibly of two months), because of involvement of the Government, in the time scale for implementation of the Fenland Communities Development Plan Core Strategy (considered at minute 45/11 (3)).

Members decided that the information reported by District Councillor Sutton be noted.

122/11 Highway issues

(1) Speed limit on March Road, Coldham

Further to minute 107/11 (2), the Clerk reported information provided by the Local Highway Authority (LHA) regarding the estimated costs involved in the third party funding approach to achieving a reduction in the speed limit along March Road, Coldham.

The LHA has, on the assumption that the Parish Council wishes the speed limit extension to commence on the March Side of the Old Vicarage, stated that it would use the existing terminal signs south of Station Road and add one new post plus three new 40 mph repeater signs on new posts; this is estimated to cost £1,700.00

In addition, the LHA would require a contribution of almost £300.00 towards the cost of the necessary public advertisement. Total cost of £2,000; it is estimated that the total cost would increase by £1,500 if the Parish Council were not to carry out the advertising process via the Local Highway Authority.

It would be the responsibility of the Parish Council, not the Local Highway Authority, to undertake all the necessary consultations and for considering any responses received as a result of that exercise (particularly any received from the emergency services).

Members decided that

- (1) the information reported by the Clerk be noted;
- (2) they wish to proceed with an extension of the 40 mph speed limit in the manner suggested by the Local Highway Authority (LHA);
- (3) the Clerk would ascertain from the LHA the feasibility (and cost) of re-locating the existing 40 mph speed limit signs which are adjacent to Bramley Court (one on either side of the road), to the location of the Coldham sign (on the approach from Fridaybridge), to achieve, when combined with the original proposal, a 40 mph speed limit on the B1101 through the whole of Coldham.

(2) Salt bins

Further to minute 96/11 (3), the Clerk reported two requests from residents of Fridaybridge for the provision of additional salt bins in the village (one on West Drive and the other at Bullfinch Way).

Members decided, on the basis that there is unlikely to be a need for further gritting until next winter, that discussion of these requests be deferred until the November 2012 meeting of the Parish Council.

123/11 Planning applications and appeals

Members considered the following planning applications and decided to submit to the Local Planning Authority the comments set out (in italics) below:

- (1) Change of use of land for the siting of two mobile homes and two touring caravans on land west of Bar Drove, Elm – F/YR11/0747/F; additional information submitted by the applicants in support of the application.

That, although having sympathy with circumstances of the applicants and their immediate family, the members of the Parish Council do not consider that the additional information received by the Local Planning Authority overcomes the objections raised by Elm Parish Council in October 2011 (minute 67/11 refers).

- (2) Erection of a two-storey, 3-bed dwelling, involving demolition of existing dwelling and shed, and siting of temporary mobile home at Arcadia House, Nettle Bank, Elm – F/YR12/0050/F (applicant: Mr J Taylor).

That the application be supported.

- (3) Fell one Sycamore tree covered by Tree Preservation Order 04/1976 on land east of "Soffits", halfpenny Lane, Elm – F/YR12/0055/TRTPO (applicants: Mr and Mrs M Gower).

Object to the application for the reason that the tree is considered to be worthy of continued protection.

(Councillor Rogers declared his personal and prejudicial interest in this application, by virtue of ownership of adjoining land and property, and retired from the meeting for the discussion and voting thereon)

In addition, members noted that the following planning applications (both considered by the Parish Council at minute 112/11) had been withdrawn by the respective applicants:

- (1) F/YR12/0011/O (proposing the erection of four dwellings on land west of 15 Overstone Drive, Coldham).
- (2) F/YR11/0985/RM (proposing the erection of 2 x 3-bed, two-storey dwellings, involving demolition of existing buildings, at Fern Cottage, Begdale Road, Elm).

The Clerk reported the lodging of appeals to the Planning Inspectorate in relation to refusal by Fenland District Council

- (1) of planning application F/YR11/0521/F (proposing the change of use of land for the siting of two mobile homes, two touring caravans and a day room, involving the formation of hardstanding and erection of 2.0 metre high fence on land south of Bar Drove, Elm).
- (2) to vary condition 4 of planning permission F/YR11/0650/F (change of use of land and buildings to form health and safety training centre, involving siting of associated equipment and portacabin for use as a testing centre) to allow opening of eastern access for use by bungalow only at Goosetree Farm, Goosetree Estate, Rings End.

In both cases, members considered the opportunity available to the Parish Council to submit comments (in addition to those sent to Fenland District Council when consulted on the planning applications) to the Planning Inspectorate.

Members decided that they wished to submit no comments to the Planning Inspectorate in relation to these appeals.

124/11 Financial matters

The Clerk reported on the Parish Council's income and expenditure since the last meeting, as follows:

Income

March Funerals	Purchase of plot and interment fee - Bye	£600.00
A R Clingo	Interment fee - Branch	£250.00
Maxey Grounds	Cottage rent (less fees)	£523.60
M J Coates	Memorial fee and inscription fee	£330.00
Kent Memorials	Memorial - Holmes	£275.00
Total Income		£1,978.60

Expenditure

R J Warren Ltd	Grounds maintenance contract	£588.80
Cambridgeshire County Council	Purchase of salt bin	£114.00
Fen Fencing	Fencing works at cemetery	£2,899.12
T Jordan	Salary (less income tax of £111.80), Broadband and other expenses	£615.33
Glazewing	Annual Environmental Protection Act charge relating to waste collection from cemetery	£62.40
Total Expenditure		£4,279.65

In addition, the Clerk reported on the levels of funding held within the Parish Council's bank and savings accounts as at 31 January 2012 (in the total sum of £128,652.58), together with the month-end figures for each of the preceding six months and as at 31 January 2011.

Members decided that

- (1) the income of £1,978.60 be noted and that the expenditure of £4,279.65 be authorised;
- (2) the levels of funding held within the Parish Council's bank and savings accounts as at 31 January 2012, together with the month-end figures for each of the preceding six months and as at 31 January 2011, be noted.

125/11 Annual risk assessments

Members considered, in accordance with the advice of the Council's Auditors that local councils should assess and take mitigating actions, the risks to the Parish Council.

Members are of the view that all of the risks faced by the Council are covered by the necessary measures, including:

- insurance policies in respect all assets and public liability
- regular inspections by the Clerk and members of the Parish Council of all assets
- monthly reporting by the Clerk of all items of income and expenditure and monies held in bank accounts
- all expenditure is approved at Parish Council meetings and cheques require three signatures
- monthly verification by a member of the Parish Council of the council's bank statements against the records of income and expenditure
- the Clerk reports to members at quarterly intervals on the Parish Council's overall financial position
- Annual Accounts are approved by the Parish Council
- all activities are governed by Standing Orders and Financial Regulations
- the Parish Council possesses a prudent level of financial reserves to be able to fund any unforeseen eventualities
- health and safety inspections are undertaken each time that grounds maintenance activities are undertaken on behalf of the Parish Council.

Members decided that appropriate risk management measures are in place currently but the situation be kept under constant review and considered formally by the Parish Council at the February meeting each year.

126/11 Elm Cemetery

The Clerk invited members' views on the general operation of Elm Cemetery, particularly in the light of recent press articles concerning the appropriateness of certain floral tributes laid at an interment.

With regard to the issues surrounding the recent floral tributes, members are generally of the view that, given the very specific nature of that particular burial, a similar incident is unlikely to occur in the future. However, in the event that there were a future occasion where a floral tribute caused upset or offence to members of the public, the Parish Council would take appropriate action to address the situation.

Councillor Pinnock stated that this issue had, in his opinion, emphasised the need for the Parish Council to possess cemetery rules and regulations (albeit that the draft rules and regulations considered by the Parish Council a minute 100/11 did not include any provisions relating to floral tributes). Consequently, he suggested that the Parish Council revisits the decision it made at minute 100/11 not to adopt rules and regulations.

Although members feel that the decision at minute 100/11 was correct, they are able to see that there could be benefit in clarifying the specifications in relation to the size of memorials etc; they consider that this could be achieved by producing a few "bullet point" rules for adding to the Parish Council's cemetery fees document.

Councillor Pinnock also referred to comments that he had made during the discussion at minute 85/11 in relation to defining specific areas (i.e. lawned and traditional sections) for the currently unused element of the cemetery and the recently extended area. He also repeated his concerns regarding the size of some of the cemetery memorials and the impact of such upon the availability of future burial plots; additionally, he suggested that, as part of the debate on the setting of cemetery fees for 2012/13, the Parish Council should consider introducing a fee for double-depth plots (which are currently purchased for the same fee as for a single-depth plot).

Members decided that

- (1) the Parish Council would seek to prevent future occurrences of upset and offence being caused to members of the public because of floral tributes on graves at Elm Cemetery;
- (2) they would consider at the next meeting

- cemetery fees for 2012/13 (including the possibility of introducing a fee for double-depth plots)
- the implementation of some brief cemetery rules, to be linked to the cemetery fees document (to include sizes of memorials etc)
- designation/layout of the currently unused and new parts of Elm Cemetery.

127/11 Parish Council meetings procedures and practices

Further to minute 93/11, Councillor Pinnock expressed concern regarding the Parish Council's change of arrangements for the publication of agendas/notice of meetings and the potential, in his opinion, for public challenge to any decisions made by the Parish Council on the basis that this new arrangement is at variance with the Parish Council's Standing Orders; the Standing Orders require that "not less than 6 clear days notice (excluding the day of delivery and the day of the meeting but including weekends) shall be given for all meetings".

The Clerk clarified the legislative requirements in relation to giving notice of meetings of local councils (the Local Government Act 1972) and reminded members of the rationale for the decisions reached by the Parish Council at minute 93/11. He made the point that the law (which requires notice of three clear days notice (excluding weekends)) would always take precedence over Standing Orders. In fact, there is no requirement in law for a local council to possess Standing Orders.

The Clerk reassured members that proper notice of this meeting had been given and, consequently, any decisions reached at the meeting would be lawful. He added, however, that no harm would be caused by reverting back to the notice period contained within the Parish Council's Standing Orders, which would make the usual agenda despatch day the Tuesday of the week preceding the meeting, as opposed to Wednesday of the preceding week (which accords with the "three clear days" rule contained within the Local Government Act 1972). The only consequence would, therefore, be to reduce by one day the opportunity for members to have items included on the meeting agenda.

Members decided that the Parish Council would revert back to the Standing Order requirement with regard to the despatch of agendas/notice of meeting.

128/11 Correspondence

(1) Fenland District Council's Community Grants Scheme 2012/13.

The Clerk reported a letter from Fenland District Council (FDC), providing details of this scheme, which enables community and voluntary groups in the district to apply for funding of up to £5,000.00 per project.

To be successful, the applications must show how the projects (which would need to be delivered by 1 April 2013) would help improve the lives of local residents. The deadline for the submission of applications is 27 April and funding will be allocated in August 2012.

Members decided that the information provided by FDC be noted and that they would bring this information to the attention to relevant groups within the community.

(2) Cambridgeshire County Council's HCV Strategy.

The Clerk reported a letter from Cambridgeshire County Council (CCC) informing Parish Councils that, following the consultation exercise, the HCV Strategy was approved by the Cabinet at the County Council in January 2012.

The letter states that the strategy, which recognises the economic importance of road haulage and the need to balance this with the environmental impact of lorries upon local communities, will be used by CCC to facilitate joint working with local communities to determine how best to manage their HCV issues.

Members decided that information provided by the County Council be noted.

(3) Upwell Health Centre grit bins.

The Clerk reported a request from Upwell Parish Council for a financial contribution towards the cost of filling the grit bins provided by that council in the car park opposite Upwell Health Centre.

Upwell Parish Council has made this provision in an effort to make it safer for those who use the car park during the winter months to access the health centre. Upwell Parish Council is responsible for both keeping these bins filled with grit (which is spread by volunteers) and collecting subscriptions from various sources to fund the initiative.

As almost 1,500 of those registered as patients at Upwell Health Centre are residents of Elm parish, Upwell Parish Council has calculated that a maximum contribution from Elm Parish Council of £29.14 per annum would be required to cover the proportionate cost of providing this benefit for parishioners of Elm.

Members decided that, as this initiative provides benefit for a considerable number of residents of the parish at a very modest cost, the request for a financial contribution be approved.

129/11 Next meeting

Members were reminded that the next meeting of the Parish Council had been scheduled for 20 March 2012, commencing at 6.30 pm, at the Parish Council office, Begdale Road, Elm.

Meeting finished at 8.05 pm

Signature:.....(Council Chairman).

Date:.....